

**CITY OF EASTPORT
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 4th, 2015
SHEAD HIGH SCHOOL - LIBRARY - 6:00 P.M.**

REGULAR COUNCIL MEETING - 6:00 P.M.

Those in Attendance: Councilor Colleen Dana-Cummings, Councilor Michael Cummings, Councilor Gilbert Murphy, and Council President, Mary Repole. Also present were Interim City Manager, Elaine Abbott; Legal Counsel, Dennis Mahar; and City Clerk, Ella Kowal.

Audience Attendance:

I. CALL TO ORDER - Council President calls the meeting to order at 6:00 p.m.

II. PUBLIC HEARING(s)

Council President declared the public hearings opened at 6:01 p.m. She also reminds everyone of the importance to sign the signature/attendance sheet

“Repeal” of Personnel Ordinance & Council Approval to Adopt it as a Policy

She gives explanation that this hearing is to give consideration to the *Repeal of the City's Personnel Ordinance* and for *Council to approve it and adopt it as a “Policy”*. She then calls for questions or comments. Damon Weston of the audience asks if there have been changes to the ordinance. Council President responds that there has not been any and that it only changes its category to a policy rather than an ordinance.

CDBG Infrastructure Grant - \$1,000,000 - Breakwater

Council President explains that with the completion of the survey, we are now able to move forward with applying for a grant to assist with the rebuild of the breakwater. She calls for questions or comments. There were none.

Council President declared the public hearings closed at 6:03 p.m.

III. ACTION ON PUBLIC HEARING(S)

MOTION MURPHY **SECOND** CUMMINGS **PASSED** 4-0

To repeal the Personnel Ordinance and Council authorizes to approve and adopt it as a *“Policy”* and acknowledges that it is category change.

MOTION MURPHY **SECOND** DANA-CUMMINGS **PASSED** 4-0

To approve moving forward with the submission of an application for a CDBG Public Infrastructure Grant in the amount of \$1,000,000 to assist with the rebuild of the Breakwater.

Council President introduces Robert Dore and that he will be offering up suggestions with regard to the City's deer population. He submits documentation with regard to the statistics of what the population will be in the future and he also touches on what is referred to as the expanded zone and this is implemented through the State. He notes that the expanded zone would also include doe as well. He makes a recommendation for Council to approve an area for an expanded zone to control the deer population. He further comments to say that an owner can still post "no hunting" and that this would not change anything in that regard. He also informs us of the importance of educating ourselves of the effects of lime disease.

Former Councilor Scott Emery of the audience asks of his interest of Eastport rather than Perry. He responds that they do not have the population that we have here. Councilor Dana-Cummings intercedes and responds that she had taken an archery class with him and asked him to come and give information as to what our options are. Another comment comes from the audience with regard to an ordinance that forbids the discharge of a firearm. Mr. Dore reaffirms that this applies to bow only. He also informs that the expanded zone would allow for taking more deer out and that would include does and bucks. He comments to say that the expanded season would another two weeks onto the season which he believed would start on September 15th. Comments came from the audience that they felt the regular bow season was sufficient and does not feel the need to expand it. Mr. Dore emphasizes that as long as a property has posted a "no hunting" sign, it is not permitted. Cynthia Morse comments of her concern with the number of deer population all over within the City.

Council Presidents asks that the City Manager check with MDI and look into some of the options and talk with others to see if this is something the City wants to follow through on.

Councilor Rocky Archer attends the meeting at 6:14 p.m.

The informational session with Mr. Dore ends at 6:16 p.m. and the Council thanks him for coming.

IV. DEPARTMENT REPORTS

MOTION MURPHY **SECOND** ARCHER **PASSED** (5-0)
To accept the Financial Report; Code Enforcement Report; Police Department Report; Public Works Report; and the Sewer Report for the month of January, 2015 as submitted.

Council President introduces the City's new Police Chief, Fran LaCoute.

V. OPEN PUBLIC FORUM

Linda Godfrey from the audience asks if this is the last meeting that Rodney Merritt will be at as Police Chief. She extends her appreciation and thank you to him.

VI. ADJUSTMENTS TO AGENDA

MOTION MURPHY **SECOND** ARCHER **PASSED** (5-0)

To approve adjustments to the agenda to add (e) Appointment of Colleen Dana-Cummings to the MicroLoan Committee under Item IX; (f) Electronic Attendance Policy under Item IX; (g) Revenue Shortfall under Item IX; and (h) Adjustment to the FY2015 Budget under Item IX.

VII. MINUTES OF PREVIOUS MEETING(s) (1/9/15, 1/14/15, & 1/25/15)

MOTION MURPHY **SECOND** ARCHER **PASSED** (5-0)

To accept and approve the Council minutes of 1/9/15, 1/14/15, and 1/25/15; with a change noted by Council President to the 1/14/15 minutes on Page 2 to include the word “*not*” to present a problem.

VIII. UNFINISHED BUSINESS

A) TRANSFER OF CITY PROPERTY

Meg McGarvey asked how the Port responded to this offer. The Council President said that their response was favorable to the Breakwater but that they were awaiting the engineering report on the Fish Pier.

Cynthia Morse of the audience asks if there would be a clause in the transfer that the Port would keep access open to the public. The Council President reaffirms that there would be.

Lora Whelan from the audience asked should the Port disband or was unable to continue to maintain said property, what would happen – it was explained to her that it would come back to the City. Council President responded that it is a Quasi municipal entity and it does not leave public control.

MOTION MURPHY **SECOND** ARCHER **PASSED** **(4-1)**
 (“Cummings” - NO)

To authorize the transfer of the Breakwater and the Fish Pier to the Port Authority.

B) REVISITED PROPOSED EXTENSION OF WALKWAY TRAIL TO COUNTY ROAD

Update given by Hugh French. He explains that about 14-15 months ago they were trying to call together a trail of the old railroad beds He informs that the trail would commence from Sea Street up to the Little League ball field and that there are seven property owners along there most of which are owned by the Railroad Company. It is their intent to sell and not to do an easement. Three other private land owners were willing to grant easements and one other landowner willing to sell. The idea is to put a trail together to extend recreational opportunities.

IX. NEW BUSINESS

a) **“Draft” FY2016 Budget**

MOTION DANA-CUMMINGS **SECOND** MURPHY **PASSED** 5-0

To acknowledge receipt of the “Draft” FY2016 Budget as required of the Charter by the City Manager.

b) **Appointment of (2) New Members to Recycling Committee**

MOTION ARCHER **SECOND** MURPHY **PASSED** 5-0

To appoint Pat Christopher and Dave MacNichol to the Recycling Committee.

c) **Appointment of Vice President of City Council (per Charter, Article 2.04(b))**

MOTION ARCHER **SECOND** REPOLE **PASSED** 3-1

(“Cummings” - NO)

To appoint Councilor Gilbert Murphy as Vice President of City Council.

d) **Proposal from Cory Guimond d/b/a Millenium Marine – Re: Mill Building**

Cory Guimond of Millenium Marine addresses the City Council with a proposal to purchase the mill building for an amount of \$200,000.

Council President explains to Mr. Guimond that there is a process by which the City must adhere to as per the Charter and the first step is having it appraised. She is currently waiting on a response and they are doing the best they can to move forward on this to get the appraisals done. It is Mr. Guimond's intent to utilize the entire facility.

e) **Appoint Councilor Colleen Dana-Cummings to the MicroLoan Committee**

MOTION MURPHY **SECOND** CUMMINGS **PASSED** 4-1

To appoint Councilor Colleen Dana-Cummings to the MicroLoan Committee.

f) **Electronic Attendance Policy**

MOTION MURPHY **SECOND** ARCHER **PASSED** 5-0

To accept and approve the Electronic Attendance Policy as prepared and submitted.

g) **Revenue Shortfall**

Council President explains that this item of the agenda is that Council acknowledges that the City has a revenue shortfall in the FY2015 Budget for an amount of \$125,000 which was borrowed from the special reserve fund previously known as the Economic Development account and was used by the Sewer Department for matching funds for a grant and that it was considered a loan. The City has found that nothing was transferred from the Sewer account and when money is transferred, it needs to be put in the Special Reserve Fund and then transferred out as Council decides. Council also acknowledged that Council agreed when approving the 2014-2015 Budget, that \$75,000

of that loan would be taken from the Sewer account as a partial repayment of the loan and it was to be put into the General Fund to cover the budget. Council also acknowledges that \$100,000 was actually put into the budget but not approved by Council as a Revenue to the General Fund even though \$75,000 had been discussed. Thus, this leaves a shortfall of \$100,000 for this year.

h) Adjustment to the FY2015 Budget

MOTION CUMMINGS **SECOND** MURPHY **PASSED** 5-0

To acknowledge a need for an adjustment and to adjust the FY2015 Budget in the amount of \$31,572.00 to include for expenses to the mill building as submitted by the City Manager.

X. SCHEDULING of PUBLIC HEARINGS(s) – if applicable

MOTION ARCHER **SECOND** CUMMINGS **PASSED** 5-0

To *schedule* public hearings for 3/11/2015 on the renewal of Liquor License applications and Special Entertainment Licenses for Al & Linda Salleroli d/b/a Rose Garden and for Basil Pottle d/b/a Seaview Campground.

(NOTE: Councilor Murphy left the meeting at 7:33 p.m.)

XI. REPORTS

1) City Manager

MOTION ARCHER **SECOND** CUMMINGS **PASSED** 4-0

To accept and approve the City Manager's report as submitted.

2) Boards & Committees (Planning Board; Zoning Board; Historic Review; Airport; Harbor; Downtown; Charter Committee; Port; Energy Committee; Ordinance Review; Park & Recreation; & Recycling Committee)

Planning Board - Michael Morse commented they would be meeting later on.

Zoning Board - Jan Finley comments the next meeting is scheduled for the 16th and that they are looking for an alternate.

Historic Review – No Report

Harbor Committee - Council has been informed that the Liaison to the committee must be a Council member.

MOTION DANA-CUMMINGS **SECOND** MURPHY **PASSED** 3-1
(MURPHY - "NO")

To appoint Councilor Michael Cummings as liaison to the Harbor Committee.

Downtown Committee - Michael Morse updates that they are working on the downtown redevelopment plan.

Charter Committee - No report.

Port Report - Already addressed earlier on in the meeting.

Energy Committee - Jon Calame gives an update and also asks about help with upfront costs from the City with regard to weatherization. Council President suggests he meet with Elaine and bring something back to the Council.

MOTION DANA-CUMMINGS **SECOND** CUMMINGS **PASSED** 4-0

To authorize the City Manager to meet Jon Calame and bring back to Council a proposal and the particulars of Mr. Calame's request for assistance with the upfront costs from the City.

Ordinance Review - Michael Morse updates they will be working with he appeals board.

Park & Recreation Committee - Council President asks that they separate this back into two separate Committees as the focus of the Recreation Committee's real focus is on what the City has to offer the kids for recreation. Jan Finley informs Council that Robin Farrin would like to be on the Recreation Committee.

MOTION DANA-CUMMINGS **SECOND** ARCHER **PASSED** 4-0

To authorize separating the "Park & Recreation Committee" back into two separate entities and to also approve Councilor Michael Cummings as liaison to the committee of Recreation.

Recycling Committee - Due to the weather, Public Works will not get to emptying the containers. The City Manager comments on the increase of people recycling.

FY2016 Budget Committee - No meeting, no report.

3) **Council • Ambulance • Marion Transfer Station**

MOTION ARCHER **SECOND** CUMMINGS **PASSED** 4-0

To accept and approve the Ambulance and Marion Transfer reports.

XII. COUNCIL ISSUES - THERE WERE NONE

XIII. EXECUTIVE SESSION

MOTION CUMMINGS **SECOND** DANA-CUMMINGS **PASSED 4-0 7:55 P.M.**

To go into Executive Session under Title 1 M.R.S.A. § 405(6)(A) to discuss a Personnel Matter and also under Title 1 M.R.S.A. § 405(6)(C) for discussion of Real Property or Economic Development as well as under Title 1 M.R.S.A. § 405(6)(E) for Consultation with Legal Counsel.

MOTION ARCHER **SECOND** DANA-CUMMINGS **PASSED 4-0 TIME 8:31 PM**

To come out of Executive Session.

XIV. ACTION from EXECUTIVE SESSION (if any)

MOTION CUMMINGS **SECOND** DANA-CUMMINGS **PASSED** 4-0

To authorize the City Manager, Elaine Abbott, to contact ORPC and inform them that they are no longer bounded to the lease and that the City is unable to afford going down to \$500.00.

MOTION DANA-CUMMINGS **SECOND** CUMMINGS **PASSED** 4-0 TIME 8:33 PM

Council President requested a motion for Council to back into Executive Session under Title 1 M.R.S.A. § 405(6)(A) on Personnel Matters and under Title 1 M.R.S.A. § on Consultation with Legal Counsel.

XVI. ADJOURN

MOTION DANA-CUMMINGS **SECOND** CUMMINGS **PASSED** 4-0 TIME

To adjourn.